

85th Legislative Session – 2010

Committee: House Local Government

Tuesday, February 16, 2010

P - Present
E - Excused
A - Absent

Roll Call

P Bolin
P Cronin
P Curd
P Feickert
P Frerichs
P Lederman
P Olson (Betty)
P Romkema
P Rounds
P Solberg
P Vanderlinde
P Rausch, Vice-Chair
P Kirkeby, Chair

OTHERS PRESENT: See Original Minutes

The meeting was called to order by Representative Mark Kirkeby, Chairman.

MOTION: TO APPROVE THE MINUTES OF FEBRUARY 11, 2010

Moved by: Rausch
Second by: Cronin
Action: Prevailed by voice vote.

HB 1107: require the operation of driver license examination stations in certain locations.

Presented by: Representative Bill Van Gerpen
Proponents: Tom Dravland, Secretary, Department of Public Safety
Representative Susan Wismer

Senator Frank Kloucek

MOTION: AMEND HB 1107

1107ta

On the printed bill, delete everything after the enacting clause and insert:

" Section 1. That § 32-12-1 be amended to read as follows:

32-12-1. For purposes of this chapter, terms are defined in § 32-14-1. Terms used in this chapter mean:

- (1) "Driver license," a document issued by a state or jurisdiction to an individual that authorizes the individual to drive a motor vehicle, including an operator's license, motorcycle operator's license, restricted minor's permit, motorcycle restricted minor's permit, instruction permit, motorcycle instruction permit, and temporary permit;
- (2) "Operator's license," any document issued by a state or jurisdiction to an individual that bestows full driving privileges upon the individual; ~~and~~
- (3) "Personally identifiable information," any information that can be used to distinguish or trace an individual's identity, such as name, social security number, or driver license or nondriver identification card number; and
- (4) "Principal residence," the location where a person currently resides even if at a temporary address.

Section 2. That chapter 32-12 be amended by adding thereto a NEW SECTION to read as follows:

Any person who holds a valid South Dakota operator's license, motorcycle operator's license, or nondriver identification card that meets the requirements of this chapter and 6 C.F.R. Part 37, as amended to January 1, 2010, may apply for renewal by mail once in any ten year period if:

- (1) The applicant is a citizen or national of the United States or is an alien who has permanent resident status;
- (2) The applicant has not had a material change in any personally identifiable information as defined in § 32-12-1. A change of address of principal residence does not constitute a material change;

- (3) The applicant is not applying for reinstatement after a suspension, revocation, disqualification, or cancellation; and
- (4) The applicant has complied with all other provisions of this chapter and is eligible for renewal by mail as determined by the Department of Public Safety.

Section 3. That chapter 32-12 be amended by adding thereto a NEW SECTION to read as follows:

The secretary of the Department of Public Safety shall promulgate rules, pursuant to chapter 1-26, on medical and vision standards, presentment of documents, application deadlines, and fees relating to the renewal by mail of an operator's license, motorcycle operator's license, or nondriver identification card under the provisions of this chapter."

Moved by: Rausch
Second by: Cronin
Action: Prevailed by voice vote.

MOTION: DO PASS HB 1107 AS AMENDED

Moved by: Rausch
Second by: Cronin
Action: Prevailed by roll call vote. (12-1-0-0)

Voting Yes: Cronin, Curd, Feickert, Frerichs, Lederman, Olson (Betty), Romkema, Rounds, Solberg, Vanderlinde, Rausch, Kirkeby

Voting No: Bolin

MOTION: AMEND TITLE OF HB 1107

1107fta

On page 1, line 1, of the printed bill, delete everything after "to" and insert "permit certain persons to renew an operator's license, motorcycle operator's license, or nondriver identification card without appearing in person at a driver license exam site."

On page 1, delete line 2.

Moved by: Rausch

Second by: Rounds
Action: Prevailed by voice vote.

HB 1134: revise the organizational status of the Mike Durfee State Prison.

Presented by: Representative Bill Van Gerpen (Handouts: #1, #2)
Opponents: Tim Reisch, Department of Corrections (Handouts: #3, #4)

MOTION: DEFER HB 1134 TO THE 41ST LEGISLATIVE DAY

Moved by: Rausch
Second by: Rounds
Action: Prevailed by roll call vote. (9-3-1-0)

Voting Yes: Bolin, Cronin, Curd, Feickert, Olson (Betty), Romkema, Rounds, Rausch, Kirkeby

Voting No: Lederman, Solberg, Vanderlinde

Excused: Frerichs

Representative Val Rausch Vice Chair now chairing.

HB 1169: prohibit businesses and employers from establishing certain policies against the ability of an invitee or employee to store firearms and ammunition in a locked motor vehicle parked on the premises.

Presented by: Representative Dan Lederman
Proponents: Darin Goens, National Rifle Association
Opponents: Shawn Lyons, SD Retailers Association
Dianna Miller, SD Network Against Family Violence & Sexual Assault
David Owen, SD Chamber of Commerce & Industry
Julie Johnson, Absolutely Aberdeen

MOTION: DO PASS HB 1169

Moved by: Kirkeby
Second by: Olson (Betty)
Action: Prevailed by roll call vote. (11-1-1-0)

Voting Yes: Bolin, Cronin, Curd, Feickert, Lederman, Olson (Betty), Romkema, Rounds, Solberg, Rausch, Kirkeby

Voting No: Vanderlinde

Excused: Frerichs

HB 1221: expand the authority of the state auditor and the state treasurer to monitor public funds in local bank accounts.

Presented by: Representative Bernie Hunhoff

Proponents: Senator Julie Bartling (Handouts: #5)

Opponents: Rich Sattgast, State Auditor
Bob Miller, Bank West Pierre

MOTION: DEFER HB 1221 TO THE 41ST LEGISLATIVE DAY

Moved by: Kirkeby

Second by: Rounds

Action: Prevailed by roll call vote. (9-3-1-0)

Voting Yes: Bolin, Cronin, Curd, Lederman, Olson (Betty), Romkema, Rounds, Rausch, Kirkeby

Voting No: Feickert, Solberg, Vanderlinde

Excused: Frerichs

MOTION: ADJOURN

Moved by: Olson (Betty)

Second by: Kirkeby

Action: Prevailed by voice vote.

Jeanette Black
Committee Secretary

Mark Kirkeby, Chair